

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Appellants:</b>	Ahern <i>et al.</i>	<b>Conf. No.:</b>	3625
<b>Serial No.:</b>	09/579,677	<b>Art Unit:</b>	2194
<b>Filing Date:</b>	05/26/2000	<b>Examiner:</b>	Anyia, Charles E.
<b>Title:</b>	ADMINISTRATION OF GROUPS OF COMPUTER PROGRAMS, DATA PROCESSING SYSTEMS, OR SYSTEM RESOURCES	<b>Docket No.:</b>	GB9-2000-0076-US1 (IBMR-0064)

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
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**FIRST AMENDED BRIEF OF APPELLANTS**

This is an appeal from the Final Rejection dated March 26, 2006, rejecting claims 1-17.

This Brief is accompanied by the requisite fee set forth in 37 C.F.R. 1.17 (c).

**REAL PARTY IN INTEREST**

International Business Machines Corporation is the real party in interest.

**RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences.

## **STATUS OF CLAIMS**

As filed, this case included claims 1-13. Claims 14-17 were added by previous amendment. As a result, claims 1-17 remain pending. Claims 1-17 stand rejected and form the basis of this appeal.

## **STATUS OF AMENDMENTS**

An After Final Amendment was submitted in response to the After Final Rejection filed by the Office on March 26, 2006. The Examiner refused to enter the amendment.

## **SUMMARY OF THE CLAIMED SUBJECT MATTER**

The present invention provides simplified administration of groups of computer programs. Command target qualifiers are defined which enable a command to be targeted at either an individual computer program or all members of a group of computer programs. Additionally, scope parameters are defined which enable a command to be targeted at specific computer system resources managed by the computer programs within the group. The computer system resources which are to be accessible to all members of a group have an associated scope parameter defining shared or group access and are held in shared storage, whereas computer system resources to be accessed by only one computer program in the group have a corresponding scope parameter and are held in the local storage of the individual computer program. The invention enables a reduction of the time taken to perform administration and control operations for the group and reduces the risk of inconsistent specification of commands that can arise when a system administrator is required to repeat entry of a command several times.

Claim 1 claims a method for simplifying control of a group of computer programs (see e.g., page 2, lines 9-14; page 7, line 20 through page 8, line 1; FIG. 1, items 30 and 40) within a group of cooperating communication managers (see e.g., page 3, lines 16-20; page 7, lines 15-19; FIG. 1, items 10 and 20) which access computer system resources held in computer system memory (see e.g., page 7, line 22 through page 8, line 1), the method including the steps of: providing connection services to each computer program within the group of computer programs to enable access to a shared access memory that is accessible to each of the group of cooperating communication managers (see e.g., page 10, lines 19-22; FIG. 3, item 100); providing a set of command target qualifiers of a command specifically identifying at least one of the group of cooperating communication managers to which the command should be targeted (see e.g., page 10, lines 19-22; FIG. 3, item 100), wherein the set of command target qualifiers includes at least one command target qualifier indicating that the command should be targeted to all members of the group of cooperating communication managers (see e.g., page 13, lines 22-25; page 14, lines 16-20); and providing a set of scope definitions of the command for association with respective computer system resources, which are used by the at least one of the group of cooperating communication managers for processing data, to determine the scope of access and change rights for the computer system resources and for determining whether the computer system resources should be stored in said shared access memory, and for identifying computer system resources to which the command is to be applied by reference to their associated scope definitions (see e.g., page 10, line 23 through page 11, line 17; page 13, lines 15-21; FIG. 3, item 120).

Claim 6 claims a command interface for a computer program for issuing commands for administration of the computer program and other computer programs which have been defined as a group of computer programs (see e.g., page 2, lines 9-14; page 7, line 20 through page 8,

line 1; FIG. 1, items 30 and 40) within a group of cooperating communication managers (see e.g., page 3, lines 16-20; page 7, lines 15-19; FIG. 1, items 10 and 20), the command interface providing a set of commands having the following parameters: a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which communication managers of the group of cooperating communication managers to which the command should be targeted (see e.g., page 10, lines 19-22; FIG. 3, item 100); and a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources of the computer program that are used in processing of data, and wherein a parameter value of the scope definition determines which of the respective computer system resources the command should be applied to by reference to their associated command target qualifier parameter values (see e.g., page 10, line 23 through page 11, line 17; page 13, lines 15-21; FIG. 3, item 120).

Claim 9 claims a data processing system including: at least one computer program defined as a member of a group of computer programs (see e.g., page 2, lines 9-14; page 7, line 20 through page 8, line 1; FIG. 1, items 30 and 40) within a group of cooperating communication managers (see e.g., page 3, lines 16-20; page 7, lines 15-19; FIG. 1, items 10 and 20); a command interface for issuing commands for administration of the at least one computer program and other members of the group of computer programs (see e.g., page 8, lines 6-7, page 10, lines 9-15), wherein the command interface provides a set of commands having the following parameters: a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which cooperating communication managers of the group to which the command should be targeted (see e.g., page 10, lines 19-22; FIG. 3, item 100); and a scope definition, wherein particular

parameter values of the scope definition are associatable with respective computer system resources of the at least one computer program that are used in processing of data, and wherein a scope definition parameter value specified in a command determines which of the respective computer system resources the command should be applied to by reference to the computer system resources' associated command target qualifier parameter values (see e.g., page 10, line 23 through page 11, line 17; page 13, lines 15-21; FIG. 3, item 120).

Claim 11 claims a computer program product comprising computer readable program code recorded on a computer readable recording medium, the program code including a command interface for issuing commands for administration of the computer program code, and other computer programs which have been defined as a group of computer programs within a group of cooperating communication managers (see e.g., page 8, lines 6-7, page 10, lines 9-15), the command interface providing a set of commands having the following parameters: a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which cooperating communication managers of the group to which the command should be targeted (see e.g., page 10, lines 19-22; FIG. 3, item 100); and a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources of the computer program code that are used in processing of data, and wherein a parameter value of the scope definition determines which of the respective computer system resources the command should be applied to by reference to their associated command target qualifier parameter values (see e.g., page 10, line 23 through page 11, line 17; page 13, lines 15-21; FIG. 3, item 120).

Claim 12 claims a method for controlling a group of computer programs (see e.g., page 2, lines 9-14; page 7, line 20 through page 8, line 1; FIG. 1, items 30 and 40) within a group of

cooperating communication managers (see e.g., page 3, lines 16-20; page 7, lines 15-19; FIG. 1, items 10 and 20) which access computer system resources held in computer system memory (see e.g., page 7, line 22 through page 8, line 1), the method including the steps of: in response to a command being issued which specifies an operation and a command target qualifier (see e.g., page 13, line 15 through page 16, line 2; FIG. 5, item 170), determining which cooperating communication managers within said group of cooperating communication managers to which the command should be targeted (see e.g., page 13, line 15 through page 15, line 5; FIG. 3, item 110; FIG. 4, item 170); in response to the command specifying a scope definition, determining which computer system resources of the determined computer programs the operation is to be performed on (see e.g., page 15, line 4 through page 16, line 2; FIG. 3, item 120; FIG. 4, line 150), wherein the system resources are used by the determined computer programs to process data; and performing the operation on the determined resources of the determined computer programs (see e.g., page 15, line 20 through page 21, line 5; FIG. 5 item 200).

## **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1-17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dadiomov *et al.* (U.S. Patent No. 6,529,932 B1), hereafter “Dadiomov,” in view of Yarom (U.S. Patent No. 5,956,710), hereafter “Yarom.”

## **ARGUMENT**

### **I. REJECTION OF CLAIMS 1-17 UNDER 35 U.S.C. §103(a)**

Appellant respectfully submits that the rejection of claims 1-17 under 35 U.S.C. §103(a) over Dadiomov in view of Yarom is defective.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Because these three criteria have not been met, Appellants respectfully request overrule of the rejection under 35 U.S.C. §103(a).

Initially, Appellants state that it is with great difficulty that Appellants attempt to interpret the arguments set forth by the Examiner in its Final Office Action. For example, with regard to the Office's arguments about the Yarom reference, the Office cites a five separate passages of Yarom against a portion of claims 1, 8, 11 and 12 of the claimed invention that has limitations including a command, scope definitions, computer system resources, cooperating communication managers and shared access memory without specifying which features of Yarom that the Office believes teach or suggest the specific features of the claimed invention. As such, Appellants have and continue to attempt to discern these specifics from the text of the cited references and argue accordingly.

The Examiner erroneously asserts that the cited references teach or suggest that the computer system resources to which the command is to be applied are used by the at least one of the group of cooperating communication managers for processing data as claimed in independent claim 1, and similarly claimed in claims 6, 9, 11 and 12. The Office admits that Dadiomov does not teach this feature. Instead, the Office appears to equate the computer system resources of the claimed invention with the database or the entries thereof of Yarom. Final Office Action, page 3, citing Yarom, col. 5, line 23-35 and line 66-67; col. 6, lines 12-36 and lines 54-59; and col. 7,

lines 32-35. However, the neither the database nor the database entries of Yarom is used by another feature of Yarom for processing data. In contrast, the present invention includes "...wherein the computer system resources are used by the at least one of the group of cooperating communication managers for processing communication data." Claim 1. As such, the computer system resources to which the command of the claimed invention is applied is not merely a database or database data as in Yarom, but rather are used by the at least one of the group of cooperating communication managers for processing data. Thus, the computer system resources of the claimed invention are not taught or suggested by the resource to be accessed of Yarom. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

The Office further argues that the cited references teach or suggest a command having both command target qualifier and scope definition parameters as claimed in independent claims 6, 9 and 11, and similarly claimed in claims 1 and 12. The Office equates the command having a command target qualifier of the claimed invention with the message of Dadiomov, which has a message ID identifying the destination. Col. 7, lines 55-64. The Office admits that Dadiomov does not teach the scope definition parameters of the claimed invention. Instead the Office equates the scope definition parameters of the command of the claimed invention with elements of a database query of Yarom. Col. 5, line 23-35 and line 66-67; col. 6, lines 12-36 and lines 54-59; and col. 7, lines 32-35. However, Yarom never teaches or suggests adding anything resembling the message ID of Dadiomov to its query. Likewise, Dadiomov does not teach or suggest that its message contains anything resembling the query contents of Yarom. To this extent, neither the message of Dadiomov nor the query of Yarom has or suggests the features of the other. Furthermore, the message of Dadiomov is a network message, which is different from a query, such as the one in Yarom. As such, Applicants submit that the Office's combination of



a database query having query elements of Yarom with the non-analogous network message having a destination ID of Dadiomov is not based on a suggestion in the references themselves or in the art, but rather is based on hindsight provided from the claimed invention.

In contrast, the claimed invention includes providing a set of commands having the following parameters: a command target qualifier...and a scope definition.” Claim 6. As such, the set of commands of the claimed invention does not merely have a destination ID for a single destination computer without scope definition parameters as does the message of Dadiomov and/or query elements as does the database query of Yarom, but instead has both a command target qualifier and scope definition parameters. For the above reason, the cited references fail to teach or suggest the set of commands of the claimed invention.

The Office still further argues that the cited references teach or suggest a set of target qualifiers of a command, wherein at least one the set of command target qualifiers includes at least one command target qualifier indicating that a command should be targeted to all members of the group of cooperating communication managers as claimed in independent claim 1, and claims 8 and 10. As stated herein, the Office equates the command of the claimed invention with the message of Dadiomov. Col. 7, lines 55-64; col. 10, lines 36-44. This message of Dadiomov has “...a destination ID which uniquely identifies the destination queue.” Col. 7, lines 59-62. To this extent, the destination ID of Dadiomov identifies a single destination queue. This destination queue may be a regular destination queue or a foreign queue, but, in either case, the destination ID identifies a single queue. Col. 10, lines 36-44. Nowhere does Dadiomov teach that its destination ID may include an indication that the message is to be sent to all queues.

The claimed invention, in contrast, includes “...a set of target qualifiers of a command, ...wherein at least one the set of command target qualifiers includes at least one command target

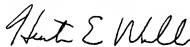
qualifier indicating that a command should be targeted to *all members* of the group of cooperating communication managers.” Claim 1. As such, in contrast to the destination ID that uniquely identifies a single destination queue of Dadiomov, the at least one command target qualifier of the claimed invention that indicates whether a command should be targeted to *all members* of the group of cooperating communication managers in part of the command itself. Thus, the message of Dadiomov does not teach the command of the claimed invention. Yarom does not cure this deficiency.

The Office yet still further argues that the cited references teach or suggest that the cooperating communication managers are queue managers as claimed in dependent claims 14-17. However, the Office fails to point out with specificity where this feature may be found in the cited references. Similarly, the Office fails point out with specificity where the cited references teach or suggest that the computer program is a queue as claimed in claims 15-17. Accordingly, Appellants submit that the claims in condition for allowance.

## CONCLUSION

In summary, Appellants submit that claims 1-17 are allowable because the cited references fail to teach or suggest each and every feature of the claimed invention and because the cited references, taken alone or in combination, fail to meet each of the three basic criteria required to establish a *prima facie* case of obviousness.

Respectfully submitted,



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## CLAIMS APPENDIX

### Claim Listing:

1. A method for simplifying control of a group of computer programs within a group of cooperating communication managers which access computer system resources held in computer system memory, the method including the steps of:

    providing connection services to each computer program within the group of computer programs to enable access to a shared access memory that is accessible to each of the group of cooperating communication managers;

    providing a set of command target qualifiers of a command specifically identifying at least one of the group of cooperating communication managers to which the command should be targeted, wherein the set of command target qualifiers includes at least one command target qualifier indicating that the command should be targeted to all members of the group of cooperating communication managers; and

    providing a set of scope definitions of the command for association with respective computer system resources, which are used by the at least one of the group of cooperating communication managers for processing data, to determine the scope of access and change rights for the computer system resources and for determining whether the computer system resources should be stored in said shared access memory, and for identifying computer system resources to which the command is to be applied by reference to their associated scope definitions.

2. The method according to claim 1, wherein respective ones of said set of scope definitions are associated with respective computer system resources in response to setting of a scope parameter during a computer system resource creation operation.

3. The method according to claim 1, wherein said set of scope definitions include a shared scope option for association with respective computer system resources, said shared scope option determining that the respective computer system resources should be stored in said shared access memory and should be accessible to all cooperating communication managers in said group of cooperating communication managers.

4. The method according to claim 3, further comprising saving a computer system resource to said shared access memory in response to specifying a shared scope during creation of the computer system resource.

5. The method according to claim 1, wherein said set of scope definitions include a group scope option for association with respective computer system resources, said group scope option determining that the respective computer system resources should be stored in said shared access memory and that copies of said respective computer system resources should be created and stored in local storage of each cooperating communication manager in said group of cooperating communication managers.

6. A command interface for a computer program for issuing commands for administration of the computer program and other computer programs which have been defined as a group of

computer programs within a group of cooperating communication managers, the command interface providing a set of commands having the following parameters:

- a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which communication managers of the group of cooperating communication managers to which the command should be targeted; and

- a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources of the computer program that are used in processing of data, and wherein a parameter value of the scope definition determines which of the respective computer system resources the command should be applied to by reference to their associated command target qualifier parameter values.

7. A command interface according to claim 6 wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource and determines whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said group of cooperating communication managers or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier.

8. A command interface according to claim 6, wherein said command target qualifier has at least a first specifiable parameter value indicating that a command should be applied to all members of the group of cooperating communication managers and a second specifiable parameter value indicating that a command should be targeted to an individual cooperating communication manager of the group of cooperating communication managers.

9. A data processing system including:

- at least one computer program defined as a member of a group of computer programs within a group of cooperating communication managers;

- a command interface for issuing commands for administration of the at least one computer program and other members of the group of computer programs, wherein the command interface provides a set of commands having the following parameters:

- a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which cooperating communication managers of the group to which the command should be targeted; and

- a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources of the at least one computer program that are used in processing of communication data, and wherein a scope definition parameter value specified in a command determines which of the respective computer system resources the command should be applied to by reference to the computer system resources' associated command target qualifier parameter values.

10. A data processing system according to claim 9 including:

- means for accessing a first memory from one of the group of cooperating communication managers, which first memory is inaccessible from other members of the group of cooperating communication managers; and

- means for accessing a second memory from said one of the group of cooperating communication managers, which second memory is accessible from all members of the group of cooperating communication managers; and

- wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource including determining whether the computer system resource should be stored in said second memory which is accessible by all cooperating communication managers of said group of cooperating communication managers or should be stored in unshared memory of an individual cooperating communication manager indicated by said command target qualifier.

11. A computer program product comprising computer readable program code recorded on a computer readable recording medium, the program code including a command interface for issuing commands for administration of the computer program code, and other computer programs which have been defined as a group of computer programs within a group of cooperating communication managers, the command interface providing a set of commands having the following parameters:

- a command target qualifier, wherein particular parameter values of the command target qualifier determine which group of cooperating communication managers and which cooperating communication managers of the group to which the command should be targeted; and

- a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources of the computer program code that are used in processing of data, and wherein a parameter value of the scope definition determines which of the respective computer system resources the command should be applied to by reference to their associated command target qualifier parameter values.

12. A method for controlling a group of computer programs within a group of cooperating communication managers which access computer system resources held in computer system memory, the method including the steps of:

- in response to a command being issued which specifies an operation and a command target qualifier, determining which cooperating communication managers within said group of cooperating communication managers to which the command should be targeted;

- in response to the command specifying a scope definition, determining which computer system resources of the determined computer programs the operation is to be performed on, wherein the system resources are used by the determined computer programs to process data; and

- performing the operation on the determined resources of the determined computer programs.

13. A method according to claim 12, including the steps of:  
in response to a define command being issued which specifies a define operation for defining a computer system resource and which specifies a command target qualifier, determining which cooperating communication managers within said group of cooperating communication managers to which the define operation should be targeted; and  
in response to the define command specifying a scope definition, performing the define operation and associating the specified scope definition with the computer system resource, thereby to determine the scope of access and change rights for the computer system resources and to determine whether the computer system resources should be stored in shared access that is accessible to each of the group of cooperating communication managers or in unshared memory, and storing said computer system resource in said determined memory.
14. The method of claim 1, wherein the cooperating communication managers are queue managers.
15. The command interface of claim 6, wherein the cooperating communication managers are queue managers, and wherein the computer program is a queue.
16. The data processing system of claim 9, wherein the cooperating communication managers are queue managers, and wherein the at least one computer program is a queue.
17. The program product of claim 11, wherein the cooperating communication managers are queue managers, and wherein the computer program code defines a queue.

## **EVIDENCE APPENDIX**

No evidence is entered and relied upon in the appeal.



## **RELATED PROCEEDINGS APPENDIX**

No decisions rendered by a court or the Board in any proceeding are identified in the related appeals and interferences section.